

BNC Ref. DA156-23
TCC Ref. MCU25/0011

Date >> 26 August 2025

ASSESSMENT MANAGER
TOWNSVILLE CITY COUNCIL
PO BOX 1268
TOWNSVILLE QLD 4810

**RE: APPLICANT RESPONSE TO ASSESSMENT MANAGER INFORMATION REQUEST & FURTHER ADVICE NOTICE
DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE (ROOMING ACCOMMODATION)
94 BERGIN ROAD, CRANBROOK QLD 4814 (RPD: LOT 1 ON RP737431)**

BNC Planning acting on behalf of the applicant submits this response to the *information request* and *further advice notice* issued by the Townsville City Council as assessment manager in accordance with the Development Assessment Rules. The information request is dated 25 March 2025, the further advice notice is dated 14 May 2025 and relate to a material change of use development application (Council Ref. MCU25/0011) over the above referenced premises.

The applicant has responded by providing all of the information requested or has provided a suitable alternative outcome. A detailed response to each item from the notice is provided below.

**ASSESSMENT MANAGER INFORMATION REQUEST
TOWNSVILLE CITY COUNCIL**

Request Item 1 – Amend Plans – Works within Drainage Easement

The applicant is requested to provide amended plans to remove proposed driveway and car parking from the existing drainage easement, as the proposed works are not consistent with the terms of the easement document.

Applicant's response

The applicant has amended the site layout to remove one of the proposed dwellings and to relocate all built form footprints from within the easement, including car parking areas and driveways. While parts of the eaves for the new dwelling extend beyond the vertical plane of the easement, this is of no consequence to the function of the easement and is not considered an intrusion given the easement is not volumetric.

Request Item 2 – Carparking

The applicant is requested to provide the following:

- a. *Demonstrate that the development can be appropriately serviced without residents' reliance on the existing on-street carparking. The provision of six (6) carparking spaces for sixteen (16) rooms is not considered sufficient. The site is not considered to be in close proximity to public transport or centre facilities that will result in occupants being more reliant on private vehicles.*
- b. *Demonstrate how the proposed tandem parking arrangements will be managed due to residents not being members of the same household. It is considered that tandem parking is not appropriate for rooming accommodation and would likely result in spaces being unavailable for use by occupants.*

Applicant's response

- a. The parking regime for the development has been reconfigured to create a single consolidated parking area at the road frontage corner of the site. The car park will yield 10 spaces as a minimum which equates to 10 spaces for 15 rooms. To compliment this, Council is encouraged to condition the provision of bike and scooter parking facilities to account for and encourage more passive forms of transport. The combination of these elements will ensure that the development can adequately cater for the demand for parking, likely to be generated by the use.
- b. Tandem parking outcomes have been removed.

Request Item 3 – Water and Sewer Demand

The applicant is requested to provide Engineering report to identify water and sewer demand associated with development and any external upgrades required to accommodate the development.

Applicant's response

The applicant provides the attached Water Supply & Sewerage Planning Report prepared by DPM Water dated 22 April 2025. The report was undertaken prior to the applicant resolving to reduce the scale of development and remove one of the proposed new dwellings. While it is noted that the other retained dwellings were amended to increase the room yield, the overall development is comparable if not lesser in scale. Given the development outcomes are comparable, the conclusions of the report remain valid, being that sufficient water and sewerage supply capacity exists to service the development.

Request Item 4 – Setbacks

The applicant is requested to provide amended plans that illustrate a setback of 3m from the Bergin Road frontage. The proposed setback to the street frontages are not considered to be consistent with the streetscape character of Bergin Road. Furthermore the applicant is requested to demonstrate that the setbacks are outside of the truncation to allow for sufficient sightlines for road users.

Applicant's response

The attached amended site layout involves the removal of the proposed dwelling at the frontage corner of the site which avoids the setback conflicts referenced in this item.

ASSESSMENT MANAGER FURTHER ADVICE NOTICE
TOWNSVILLE CITY COUNCIL

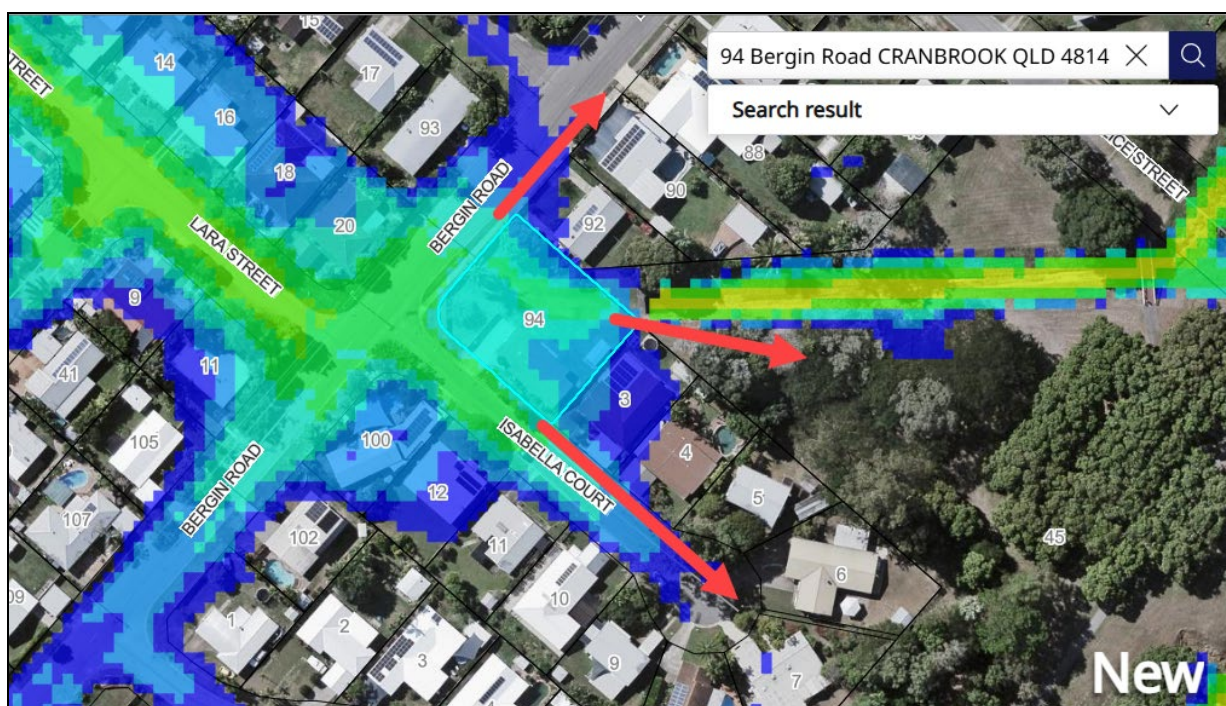
Forward

The applicant is advised that the proposed high intensity within the High Flood Hazard area poses an unacceptable level of risk to people or property which will occupy the land and requires further consideration. As per the recent flood model mapping, the development site is mapped as Very High and High Risk with average 1% AEP depth of 0.58m.

Applicant's response

The applicant has resolved to reduce the scale of the proposed development which allows for a significant improvement in the ability to manage vulnerability and reduces the risk to people and property from flood hazard to an acceptable/tolerable level. The amended proposal retains the number of rooms but significantly improves the level of vulnerability by replacing ground level floor space with second-storey space and congregating the built form in the lower risk areas of the site. The applicant also provides the attached updated Flood Impact Assessment which undertakes a detailed review of flood risk, both for the dwellings and car park areas, and concludes that the risk is tolerable. Additionally, the applicant offers the attached Emergency Evacuation Plan which outlines a range of operational and behavioral systems that will be put in place as part of managing the rooming accommodation activities. This combined physical and operational mitigation strategies, in conjunction with the design changes made to the building and car park, ensures the risk to people and property is acceptable.

The yet to be adopted new flood risk mapping is acknowledged, as is the updated 1%AEP flood depth data. It is also acknowledged that, under the current planning scheme, the site is mapped across the low, medium and high hazard areas. The attached Flood Impact Assessment reflects this latest data. It is also of significant importance to acknowledge the greater context of the site, specifically the fact that it exists on the fringe of the 1%AEP inundation area, which makes egress and refuge into community land very achievable. Mapping extract below.



The development is not considered a form of high intensity development, especially in light of the existing 5 bedroom rooming accommodation use. The development introduces 10 new rooms (15 in total). A capacity of 15 people residing on a site of this size is commensurate with a 5 unit multiple dwelling or three standard family homes each on circa 400m² lots.

The applicant has undertaken a fit-for-purpose risk assessment to identify and achieve an acceptable and tolerable level of risk for personal safety and property in the natural hazard area. The applicant has applied the benchmarks established under both the planning scheme and the State Planning Policy with regard to demonstration of compliance and quantifying what constitutes an acceptable/tolerable risk. In this regard:

- The development directly and cumulatively avoids an increase in the exposure or severity of the hazard to the site or adjoining properties. This is verified by the Flood Impact Assessment.
- The development does not hinder disaster management capacity or capability.

- The development is compatible with flood risk when the physical and operational mitigation measures put forward are employed. Compatibility is confirmed in the Flood Impact Assessment and is complimented by the operational mitigations outlined in the Emergency Evacuation Plan.
- The development has been designed and the building located to minimise susceptibility to and potential impacts of flooding. This evident on the amended site plan and the elevations.
- Development in high hazard areas does not significantly impede the flow of flood waters through the site or worsen flood flows external to the site. This is verified by the Flood Impact Assessment.

With this context in mind, the applicant provides the following response to the items raised in the further advice notice.

Advice Item 1 – Amend Plans – Works within Drainage Easement

The applicant is advised that an amended Flood impact Assessment (FIA) is required to include the following:

- a) *Hazard and Risk analysis*
- b) *Time of isolation by floodwaters*
- c) *Emergency evacuation requirements*
- d) *Roads trafficability for various AEP events*
- e) *Carparking level at a maximum of 100mm below the 1%AEP is generally acceptable, to prevent the vehicles from inundation/damage by flooding.*

Applicant's response

The applicant provides the attached amended Flood Impact Assessment which now addresses these matters and concludes that the risk to people and property is tolerable.

Advice Item 2 – Amended Layout and Intensity

The Applicant is advised to reduce the intensity and change the layout by having consideration towards:

- *Potential replacement of the six (6) bedroom building located in the western corner by carparking.*

Applicant's response

The applicant has removed one of the new dwellings and replaced it with car parking as suggested. See the Forward above for further detail on the scale and intensity of the development, relative to the setting and localized flood extents.

Advice Item 3 – Amended Plans

The Applicant is advised to submit amended proposal plans as resulting from Advice Items 1 and 2, above.

Applicant's response

The applicant provides the attached amended plans in response to both the information request and further advice notice.

Summary

I trust the additional common material included in this response provides sufficient information to allow the assessment of the development application to proceed. Should there be any issues, or should additional information be required, please contact me.

Kind regards,



Benjamin Collings
Director